

## Permitting & Assistance Branch Staff Report

Revised Solid Waste Facilities Permit for

Coachella Valley Compost

SWIS No. 33-AA-0292

December 1, 2017

### **Background Information, Analysis, and Findings:**

This report was developed in response to the Riverside County Department of Environmental Health Local Enforcement Agency's (LEA) request for the Department of Resources Recycling and Recovery (Department) concurrence on the issuance of a proposed revised Solid Waste Facilities Permit (SWFP) for Coachella Valley Compost, SWIS No. 33-AA-0292, located in Riverside County and owned by Riverside County Department of Waste Resources and operated by Burrtec Waste Industries, Inc. A copy of the proposed permit is attached. This report contains Permitting & Assistance Branch staff's analysis, findings, and recommendations.

The proposed permit was received on October 19, 2017. Action must be taken on this permit no later than December 18, 2017. If no action is taken by December 18, 2017, the Department will be deemed to have concurred with the issuance of the proposed revised SWFP.

### **Proposed Changes:**

The following changes to the first page of the permit are being proposed:

	Current Permit (2008)	Proposed Permit
Facility Name & Address	Coachella Valley Composting Facility 87-011 Landfill Road Coachella, CA 92236	Coachella Valley Compost 87011 Landfill Road Coachella, CA 92236
Permitted Operations	Composting Facility (Mixed Waste)	Construction/Demolition/Inerts (CDI) Processing Facility  Composting Facility (green material/food material)
Permitted Hours of Operation	Facility Operating Hours: <u>6:30 a.m. to 4:30 p.m., M-F; 7 a.m. to 3 p.m. Sat, Closed Sunday</u>  Closed on These Holidays: New Year Day, Saturday before Easter, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, & Christmas Day. Closed at noon: New Year's Eve, Christmas Eve, & Good Friday.  Ancillary Operating Hours: 5:30 a.m. to 6:30 p.m., Monday – Saturday	Facility Operating Hours: <u>6:00 a.m. to 6:00 p.m. Monday – Sunday</u> Office: 8:00 a.m. to 5:00 p.m. Monday – Friday  Closed on these Holidays: New Year's Day, Easter, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, & Christmas.  Ancillary Operating Hours: Monday – Sunday 24 hours

Permitted Maximum Tonnage	250 Tons per Day	985 Tons/Day (combined feedstock) (additional 55,000 gpd grease/gray water, see 16f)
Permitted Vehicles	169 Vehicles per Day	536 Vehicles per Day
Permitted Area (in acres)	35 Composting	39.8 total CDI Processing: 3.0 Composting: 31.9
Design Capacity (cubic yards)	40,000	CDI Processing: 15,694 Composting: 191,949

Other Changes include edits to the following sections of the SWFP for the purpose of updating and/or clarifying: Legal Description of Facility, Findings, Prohibitions, updates to the documents listed in Section 15, Self Monitoring and Enforcement Agency (EA) Conditions.

#### **Key Issues:**

The proposed permit will allow for the following:

1. Change the facility name from Coachella Valley Compost Facility to Coachella Valley Compost (CVC);
2. Allow for the expansion of the existing total permitted area from 35 acres to 39.8 acres, which includes expanding the existing compost area from 15 acres to 31.9 acres;
3. Increase the tonnage from 250 tons per day (TPD) to 785 TPD of green material, pre and post-consumer food material, construction wood and palm fronds, plus up to 200 TPD of construction/demolition (985 total TPD);
4. Add animal manures as an acceptable organic feedstock;
5. Increase compost production up to 450 TPD of organic material;
6. Increase the amount of grease trap liquids and gray water accepted from 12,500 gallons per day (GPD) to 55,000 GPD;
7. Expand days of operation from six (6) to seven (7) days;
8. Increase the total number of vehicles per day from 169 to 536 vehicles; and
9. The facility will also include the following upgrades: relocation of scale/scale house, adding a second scale, realign and widen the entrance and construction of an office with break room and a wastewater disposal system.

#### **Background:**

Coachella Valley Compost (CVC), formerly known as the Coachella Valley Compost Facility was originally developed and operated by Agri Service, Inc. In 2010, the facility was sold to Burrtec. The facility is operated by Burrtec Waste Industries, Inc. (Burrtec) on property owned by the Riverside County Department of Waste Resources (RCDWR). The facility is located in unincorporated Riverside County immediately north of the City of Coachella near the closed Coachella Landfill. The facility occupies 39.8 acres of the 640-acre Coachella Landfill property.

**Findings:**

Staff recommends concurrence in the issuance of the proposed revised SWFP. All of the required submittals and findings required by Title 27 of the California Code of Regulations (27 CCR), Section 21685, have been provided and made. Staff has determined that the California Environmental Quality Act (CEQA) requirements have been met to support concurrence. The findings that are required to be made by the Department when reaching a determination are summarized in the following table. The documents on which staff's findings are based have been provided to the Branch Chief with this Staff Report and are permanently maintained by the Waste Permitting, Compliance, and Mitigation Division.

27 CCR Sections	Findings	
21685(b)(1) LEA Certified Complete and Correct Report of Facility Information	The LEA provided the required certification in their permit submittal letter dated October 19, 2017.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(2) LEA Five Year Permit Review	A Permit Review Report was prepared by the LEA on January 30, 2013. The LEA provided a copy to the Department on February 7, 2013. The changes identified in the review are reflected in this permit revision.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(3) Solid Waste Facility Permit	Staff received a proposed Solid Waste Facilities Permit on October 19, 2017.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(4)(A) Consistency with Public Resources Code 50001	The LEA in their permit submittal package received on October 19, 2017, provided a finding that the facility is consistent with PRC 50001. Waste Evaluation & Enforcement Branch (WEEB) staff in the Jurisdiction Compliance Unit found the facility is identified in the Non-disposal Facility Element as described in their memorandum dated November 15, 2017.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(8) Operations Consistent with State Minimum Standards	WEEB staff in the Inspections and Enforcement Agency Compliance Unit conducted a pre-permit inspection on November 16, 2017. See Compliance History below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(9) LEA CEQA Finding	The LEA provided a finding in their permit submittal package received on October 19, 2017, that the proposed permit is consistent with and supported by the existing CEQA documentation. See the Environmental Analysis below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

27 CCR Sections	Findings	
21650(g)(5) Public Notice and/or Meeting, Comments	A Public Informational Meeting was held by the LEA on September 13, 2017. There were no members of the public in attendance; and no written comments were received by LEA. Department staff has not received any comments. See Public Comments section below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
CEQA Determination to Support Responsible Agency's Findings	The Department is a responsible agency under CEQA with respect to this project. Permitting and Assistance Branch staff has determined that the CEQA record can be used to support the Branch Chief's action on the proposed revised SWFP.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

### **Compliance History:**

WEEB staff in the Inspections and Enforcement Agency Compliance Unit conducted a pre-permit inspection on November 16, 2017, and noted one violation during the inspection:

- 14 CCR Section 17867(a)(5) – Compost Contamination.

Below are the details of the facility's compliance history based on the LEA's monthly inspection reports during the last five years:

- November 2017 – 14 CCR Section 17867(a)(5) – Compost Contamination.
- September 2017 – November 2016 – No violations were noted.
- October 2016 – One violation of 14 CCR Section 17867(a)(3) – Vectors/Litter/Hazard/Nuisance/Noise/Dust.
- September 2016 – September 2012 – No violations were noted.

All violations, including the violation of 14 CCR Section 17867(a)(5) noted by WEEB staff during the November 16, 2017 inspection, have been corrected to the satisfaction of the LEA.

### **Environmental Analysis:**

Under CEQA, the Department must consider, and avoid or substantially lessen where possible, any potentially significant environmental impacts of the proposed SWFP before the Department concurs in it. In this case, the Department is a Responsible Agency under CEQA and must utilize the environmental document prepared by the Riverside County Department of Waste Resources, acting as Lead Agency, absent changes in the project or the circumstances under which it will be carried out that justify the preparation of additional environmental documents and absent significant new information about the project, its impacts and the mitigation measures imposed on it.

The changes that will be authorized by the issuance of the proposed permit include: allow for the expansion of the existing total permitted area from 35 to 39.8 acres, which

includes expanding the existing composting area from 15 acres to 31.9 acres; increase the tonnage from 250 TPD to 785 TPD of green material, pre and post-consumer food material, construction wood and palm fronds, plus up to 200 TPD of construction/demolition (985 total TPD); add animal manures as an acceptable organic feedstock; increase compost production up to 450 TPD of organic material; increase the amount of grease trap liquids and gray water accepted from 12,500 GPD to 55,000 GPD; expand days of operation from 6 to 7 days; and increase the total number of vehicles per day from 169 to 536 vehicles. The facility will also include the following upgrades: relocation of scale/scale house, adding a second scale, realign and widen the entrance and construction of an office with break room and a wastewater disposal system.

These changes are supported by the following environmental document.

A Draft Environmental Impact Report (EIR), State Clearinghouse No. 2013081021, was circulated for a 45-day comment period from January 14, 2015 to February 27, 2015. The project analysis concluded that any physical environmental impacts caused by the project could be mitigated to less than significant levels with the implementation of the mitigation measures included in the Mitigation Monitoring and Reporting Program. The Final EIR, together with the Mitigation Monitoring and Reporting Program, was certified by the Riverside County Board of Supervisors on May 23, 2017.

The Riverside County LEA has provided a finding that the proposed revised SWFP is consistent with and supported by the cited environmental document.

Staff recommends that the Department, acting as a Responsible Agency under CEQA, utilize the Final EIR as prepared by the Lead Agency in that there are no grounds under CEQA for the Department to prepare a subsequent or supplemental environmental document or assume the role of Lead Agency for its consideration of the proposed revised SWFP. Department staff has reviewed and considered the CEQA record and recommends the Final EIR is adequate for the Branch Chief's approval of the proposed project for those project activities which are within the Department's expertise and/or powers, or which are required to be carried out or approved by the Department.

The administrative record for the decision to be made by the Department includes the administrative record before the LEA, the proposed revised SWFP and all of its components and supporting documentation, this staff report, the Final EIR adopted by the Lead Agency, and other documents and materials utilized by the Department in reaching its decision on concurrence in, or objection to, the proposed revised SWFP. The custodian of the Department's administrative record is Ryan Egli, Legal Office, Department of Resources Recycling and Recovery, P.O. Box 4025, Sacramento, CA 95812-4025.

**Public Comments:**

The project document availability, hearings, and associated meetings were noticed consistent with the SWFP requirements. The LEA held a public informational meeting on September 13, 2017, at Fantasy Springs Casino, in the City of Indio. No members of the public attended. No written comments were received by the LEA.

Department staff provided an opportunity for public comment during the CalRecycle Monthly Public Meeting on November 21, 2017. No comments have been received by Department staff.